

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)
)
)
) No. 2:19-cr-00013
 v.)
) Chief Judge Crenshaw
)
)
)
 GEORGIANNA A.M. GIAMPIETRO)

GOVERNMENT'S SUPPLEMENTAL NOTICE OF EXPERT TESTIMONY

The United States of America, by and through its attorneys, the Acting United States Attorney for the Middle District of Tennessee and the Chief of the Counterterrorism Section of the National Security Division, United States Department of Justice, pursuant to Rules 16(a)(1)(F) and (G) of the Federal Rules of Criminal Procedure, hereby files this supplemental notice of intent to offer evidence that may be construed as expert testimony pursuant to Rules 702 and 703 of the Federal Rules of Evidence in the above-referenced case.

The government filed its initial expert notice on May 15, 2020, identifying two potential expert witnesses. This supplemental notice identifies one additional witness whom the government had not previously identified, but subsequently has determined that it may also call at trial. However, the government contends the below anticipated testimony is more akin to lay witness fact testimony under Rule 701 and therefore, does not need to be disclosed as potential expert testimony pursuant to Rules 702 and 703 of the Federal Rules of Evidence. Nevertheless, out of an abundance of caution, the below individual is being noticed as a potential expert in this case.

FBI Special Agent Richard Campbell

FBI Special Agent Richard Campbell is currently the Division Coordinator for the FBI Computer Analysis Response Team and is a Certified Computer Forensic Examiner. During the investigation in this case, Campbell retrieved, examined, and/or analyzed the content and data

retrieved from the defendant's electronic devices seized in this case, including her cellular telephone and computer. Campbell's anticipated testimony regarding the retrieval, examination, and collection of data from the defendant's electronic devices is more akin to that of a fact witness in that he will explain the evidence he located, any software he used to locate and seize that evidence, and, how he verified the accuracy of such evidence. The government anticipates that Campbell will also provide testimony regarding his training and background, including any training related to the methods and/or software used to assist him in the examination of the electronic devices. Courts, including District Courts in the Middle District of Tennessee, have previously held that the extraction of information from an electronic device utilizing technology such as Cellebrite does not qualify as expert testimony subject to Rules 702 and 703 of the Federal Rules of Evidence. A copy of Campbell's curriculum vitae is attached hereto and any reports drafted by Campbell were previously disclosed by the government as part of its Rule 16 discovery obligations.

CONCLUSION

WHEREFORE, the parties request that the Court take notice of the above matters.

Respectfully Submitted,

MARY JANE STEWART
Acting United States Attorney
Middle District of Tennessee

By: /s/ Kathryn Risinger
KATHRYN RISINGER
Deputy Criminal Chief – Organized Crime

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2021, I electronically filed one copy of the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for defendant in this case.

/s/ Kathryn D. Risinger
KATHRYN D. RISINGER
Assistant United States Attorney

ATTACHMENT

Curriculum Vitale

Special Agent Richard Campbell, CISSP, CFE
Federal Bureau of Investigation, Memphis Division /
Nashville Resident Agency (RA)



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Phone: (615) 232-7500

Email: rcampbell3@fbi.gov

PROFESSIONAL EXPERIENCE

September 2017 – Present

FBI Computer Analysis Response Team (CART) – Division Coordinator

Responsible for managing the computer forensics networks and labs in both Memphis, TN and Nashville, TN. Oversee all CART personnel, budgets and procurement; responsible for interfacing and coordinating with FBI HQ Program managers, as well as field level Executive Management. Provide digital evidence recovery, digital forensic analysis and provide expert testimony to support criminal, national security and intelligence collection programs across the division.

Supervises and communicates program policies, purposes, and goals. Performs quality control and ensures performance meets established standards. Monitor, track, and report on the status of CART activities. Identifies, promotes, and implements process improvements.

October 2014 –
September 2017

Certified Computer Forensic Examiner

Federal Bureau of Investigation Memphis Division / Nashville RA

Conduct forensic examinations on computer evidence, prepare forensic images for the Case Agent Investigative Review (CAIR) network, and perform search and seizure operations. Participates in field operations to search and seize digital evidence while maintaining the integrity of the evidence during the seizure and examination processes. Restores deleted and/or damaged files, catalog contents, and search for applicable case material as necessary.

EDUCATION

August 1991 – May 1993 Millikin University, Decatur, Illinois, Bachelor of Arts B.A.
Field of Study - Sociology

August 1989 – May 1991 University of Tennessee at Martin, Martin, Tennessee
Field of Study – Criminal Justice

FORENSIC EXAMINATION EXPERIENCE

Seized, Imaged and Analyzed hundreds of computer devices, media and images in support of over one hundred investigations, and participated in the execution of dozens search warrants, search and seizure operations, and field examinations since joining the CART program in 2014.

CERTIFICATIONS

- 2020 ISC2 CISSP - Certified Information Systems Security Professional (Member 784027)
- 2020 Information Technology Security Leadership (Certified GIAC / GSLC)
- 2018 Mac / iOS Operating Systems Certification FBI
- 2018 Black Bag Technologies - Certified Mobilize Operator (CMO)
- 2017 GIAC Certified Windows Forensic Examiner (Certified GIAC / GCFE)
- 2017 Advanced Smartphone Forensic Analyst (Certified GIAC / GASF)
- 2017 CompTIA - Network+ Certification
- 2017 Smartphone Mobile Device Certification (FBI)
- 2016 Access Data Examiner Certification (ACE) / FTK
- 2016 CompTIA - A+ Certification
- 2016 Global Industrial Cyber Security Professional (Certified GIAC / GICSP)
- 2016 Certified Forensic Examiner (FBI)
- 2015 GIAC Global Security Essentials Certification (Certified GIAC / GSEC)
- 2014 Certified Computer Analysis Response Team Technician
- 2014 GIAC Global Information Security Certification (Certified GIAC / GISF)
- 2014 Certified Digital Extraction Technician (DExT) (FBI)
- 2014 Certified Computer Analysis Response Team Technician (FBI)
- 2010 Certified Fraud Examiner - Association of Certified Fraud Examiners

PROFESSIONAL TRAINING - Forensics / Information Security

- 2021 Managing Security Vulnerabilities: Enterprise and Cloud (SANS)
- 2021 IT Project Management Professional (PMP) and Effective Communication (SANS)
- 2020 Security Leadership Essentials for Managers (SANS)
- 2020 Griffeye Analyze DI Professional
- 2020 Core NetWars Tournament (SANS)
- 2020 Battlefield Forensics and Data Acquisition (SANS)
- 2020 Autopsy Forensic Training
- 2019 Cloud Security Architecture and Operations (SANS)
- 2019 Certified Information Systems Security Professional Course (ISC2)
- 2019 Mandiant Enterprise Incident Response
- 2018 Cellebrite Mobile Device Forensics, Cellebrite 4PC and Physical Analyzer
- 2018 Implementing and Auditing Center for Internet Security (CIS) Critical Controls
- 2018 BlackBag Essential Forensic Techniques for Macintosh
- 2018 Macintosh Systems Forensic Analysis - Black Bag / Backlight
- 2018 Essential Forensic Techniques I - FBI
- 2018 Social Media Exploitation / Investigations - DEA
- 2018 Open Source Analysis Fundamentals - FBI
- 2018 Introduction to Mac Forensics
- 2017 CART Smartphone Mobile Devices Training
- 2017 SANS DFIR Netwars Tournament
- 2017 SANS Forensic Institute Forensic Toolkit
- 2017 Smartphone Forensic Analysis In-Depth (SANS)

2017 SANS Specialized Knowledge and Applications
2017 CART Moot Court – FBI
2017 Forensic Examiner Capstone Exercises - FBI
2016 Micro Systemation XRY/MSAB Smartphone Forensics
2016 Digital Evidence Policy Guide Training for Forensic Examiners
2016 Windows In-Depth Forensic Analysis (SANS)
2016 Intermediate Web Based Artifacts – Forensic Analysis
2016 Intermediate OS Artifacts – Forensic Analysis
2016 File Systems Forensics Training
2016 ICS/SCADA Security Essentials (SANS)
2015 Information Technology Security Essentials Bootcamp (SANS)
2015 Computer Intrusion – FBI
2015 Advanced Forensics on Child Pornography Exams – FBI/ICAC
2015 Mobile Device Evidence Training (TBI)
2015 Information Technology Security Essentials Course (SANS)
2015 Target Disk Mode – Apple / Mac
2014 Certified Computer Analysis Response Team Technician (FBI)
2014 Information Security Fundamentals (SANS)
2014 Digital Extraction Technician (DExT) Training (FBI)
2014 Computer Analysis Response Team Technician Course (FBI)
2014 iOS Devices for Forensic Examiners

PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS

High Technology Crime Consortium (HTCC)	Active Member
Association of Certified Fraud Examiners (ACFE)	Active Member
SANS Industrial Control Systems (ICS) Community	Active Member
High Technology Crime Investigators Association	Active Member
ICAC Child On-Line Protection System (ICACCOPs)	Active Member
Advisory Board Member - Global Information Assurance Certification (GIAC)	Active Member

PREVIOUS POSITIONS HELD - FBI

June 2014 – September 2014	Unit Chief (Acting) – International Operations Division (IOD) Responsible for all operational and administrative functions of the Human Intelligence Unit within the International Operations Division of the FBI. Developed and led strategic focus and ensured operational support required to ensure effective intelligence collection and dissemination.
September 2006 - October 2014	Supervisory Special Agent (Field) Memphis Division / Nashville RA Program Coordinator/SSA Nashville JTTF Served as the Supervisory Special Agent of the Nashville Joint Terrorism Task Force (JTTF). Responsible for the direct oversight of eight FBI Special Agents and eight Task Force Officers (TFO's) assigned to the Nashville JTTF. Ensured investigations were aggressively and thoroughly pursued, utilizing all investigative and intelligence collection methods available. While the cooperative environment of the JTTF facilitated information sharing, frequent liaison with partner agencies

was essential to the success of the JTTF mission. Great emphasis was placed on professional outreach efforts and conducted extensive liaison on a weekly, and occasionally, daily basis.

September 2011 - October 2012 **Assistant Inspector, Team Lead, Inspection Division FBIHQ**

Responsible for conducting field office inspections, National Program Reviews, special reviews as requested by the FBI Director, and Shooting Incident Reviews. Responsible for the thorough review of not only investigative programs, but also intelligence and field office operations and administrative functions.

January 2011 - January 2011 **Legal Attaché (Acting) - International Operations Division, LEGAT Addis Ababa, Ethiopia**

Established, maintained, and enhanced liaison contacts outside the Embassy, primarily with the Ethiopian Federal Police and Ethiopian National Intelligence and Security Service. Responsible for the office administration, office start-up, liaison contacts within the Embassy, and all intelligence collection and dissemination. Represented the FBI by providing briefs to the daily Department of Defense, Joint Strategic Affairs Office, meeting with the United States Intelligence Community, the bi-weekly Country Team meetings, and as necessary with the Office of Regional Affairs Chief of Station.

March 2009 – August 2009 **DEPUTY LEGAL ATTACHE – Counterterrorism Division, On-Scene Commander/Deputy On-Scene, Commander, Bagram AFB, Afghanistan**

Responsible for overseeing FBI operations in Afghanistan, my primary objective was to lead FBI assets in the Afghanistan Theater of Operations. Led and directed the activities of more than 30 FBI personnel, provided leadership and direction for subordinates, and peers, as well as individuals outside of the FBI. FBI operations in Afghanistan required constant focus on guiding and mentoring both Agent and Analyst staff in an austere and inherently dangerous environment. Due to constantly changing external factors such as safety, personnel matters and unexpected travel, clear unambiguous direction was provided. As the senior representative of the FBI, time sensitive situations, which required an immediate response, were addressed.

January 2004 – September 2006 **FBIHQ Supervisory Special Agent, Counterterrorism Division Supervisory Special Agent / Program Manager**

Served as a Supervisory Special Agent and Program Manager in the Counterterrorism Division of FBI Headquarters. Assigned to the International Terrorism Operational Section, which was co-located with CIA counterterrorism units at the National Counterterrorism Center. Responsible for the operational oversight and inter-agency coordination of approximately 150 ongoing FBI investigations. Dictated program policy, encouraged and facilitated enhanced liaison, coordinated additional resources and managed both administrative and operational functions of eight Joint Terrorism Task Forces (JTTF) and their respective

terrorism cases. Ensured investigations were aggressively pursued and to enlist the support and assistance of other agencies within the U.S. intelligence community.

January 1999 – January 2004

Special Agent, New York City (NYO), Relief Supervisor

International Financial / Money Laundering Task Force; Domestic / International Narcotics Task Force

Member of the NY/NJ HIDTA (High Intensity Drug Trafficking Area) and HIFCA (High Intensity Financial Crimes Area) task forces, which served to measurably reduce illegal drug use through collaborative, measurable initiatives ranging from enforcement and prosecution to prevention. Worked closely with state, local and other federal law enforcement agencies, specifically investigating narcotics trafficking, investigating bank fraud, wire fraud, securities fraud, public corruption, and violent crime matters.

June 1993 – October 1998

Police Officer / Field Training Officer / Traffic Crash Reconstructionist

Patrol Officer and Field training officer responsible for the training of new police officer recruits. Additionally, certified as a Traffic Crash Reconstructionist by the Institute of Police Technology and Management.